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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,404	11/20/2003	Takuma Mikawa	03560.003404	5539

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EXAMINER

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,404

Applicant(s)

MIKAWA, TAKUMA

Examiner

HELEN SHIBRU

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/27/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada (US PG PUB 2004/0057700a A1).

Regarding claim 1, Okada discloses a apparatus for processing image data and playlist data indicating a playback procedure of the image data, the apparatus comprising: playlist processing means for generating playlist data based on a specified playback procedure for image data, and for generating date information of the playlist data based on date information regarding the image data specified in the playlist data (see paragraphs 0219, 0271-0273 and fig. 9) ist data and the date information of the playlist data in association with each other on a recording medium (see paragraphs 0273-0275).

Regarding claim 2, Okada discloses the recording means generates a playlist file including the playlist data and the date information of the playlist data, and records the playlist file on the recording medium (see paragraphs 0271-0275 and 0283).

Regarding claim 3, Okada discloses the date information of the playlist indicates a generation date of the playlist data (see fig. 9 and paragraph 0273).

Regarding claim 4, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data that is to be played back

first among the image data specified in the playlist data (see fig. 9, paragraphs 0219, 0266, 0271, and 0283, user defined PGC).

Regarding claim 5, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data that is to be played back last among the image data specified in the playlist data (see fig. 9, paragraphs 0219, 0266, 0271, and 0283, the playlist is user defined PGC).

Regarding claim 6, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data having date information indicating an oldest date among the image data specified in the playlist data (see fig. 9, paragraphs 0219, 0266, 0271, and 0283).

Regarding claim 7, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data having date information indicating a latest date among the image data specified in the playlist data (see fig. 9, paragraphs 0219, 0266, 0271, and 0283).

Regarding claim 8, Okada discloses the playlist processing means further generates thumbnail image data of the playlist data based on the image data specified in the playlist data, and the recording means further records the thumbnail image data of the playlist data in association with the playlist data on the recording medium (see figs. 8, 10 and paragraphs 0279-0285).

Regarding claim 9, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data selected from the image

data specified in the playlist data, and generates thumbnail image data of the playlist data based on the image data selected (see paragraphs 0283, 0285-0286).

Regarding claim 10, Okada discloses the playlist processing means further generates recording-position information of the playlist data based on position information indicating a recording position regarding the image data specified in the playlist data, and the recording means further records the recording-position information of the playlist data in association with the playlist data on the recording medium (see figs. 8-11, paragraphs 0281, 0709-0718).

Regarding claim 11, Okada discloses the playlist processing means generates date information of the playlist data based on date information of image data selected from the image data specified in the playlist data, and generates recording-position information of the playlist data based on position information of the image data selected (see figs. 11, 33 and paragraph 0714).

Regarding claim 12, Okada discloses the image data specified in the playlist data is recorded on the recording medium (see paragraphs 0271-0275).

Regarding claim 13, Okada discloses display control means for displaying information regarding the image data and information regarding the playlist data recorded on the recording medium, in an order based on the date information (see fig. 9, paragraphs 0285 and 0447).

Regarding claim 14, Okada discloses the recording medium is a recording medium that allows random access (see abstract and paragraph 0109).

Method claim 15 is rejected for the same reason as discussed in the apparatus claim 1 above.


Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
June 8, 2007


THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600